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**United States
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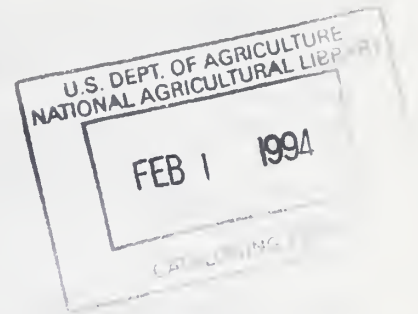


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DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT
MINERAL MATERIALS SALES
DEVILS'S FLAT AREA

DESCHUTES COUNTY, OREGON
USDA - FOREST SERVICE
DESCHUTES NATIONAL FOREST
BEND RANGER DISTRICT



An Environmental Assessment (EA) that discusses alternatives for removal of mineral materials from the Devil's Flat area is available for public review at the Bend District Ranger's office, 1230 NE Third Street, Suite A-262, Bend, Oregon 97701.

DECISION

It is my decision to adopt Alternative 3 for the removal of mineral materials from the Devil's Flat area. This alternative provides for the mining of pumice and building stone from an area of twenty acres or less, located in the north one half of section 11, T.18S., R.11E., W.M. Mining will be authorized by one or more sale permits issued over a period of four to five years. Reclamation of the site(s) will be required. Effects on wintering deer and elk are not expected to seriously effect their survival.

MITIGATION MEASURES

In order to implement this Alternative 3, the following mitigation measure will be utilized as necessary:

If any previously unknown cultural resources, threatened, endangered, or sensitive plant or animal species are found, all work will be halted until a professional archaeologist, botanist, or biologist has been consulted to determine an appropriate course of action to protect those resources.

OTHER ALTERNATIVES CONSIDERED

There were two other alternatives considered:

Alternative 1 - The "No Action/No Change" alternative would not authorize the removal of mineral materials by sale contracts for the area. Mining, however, would continue for an indefinite period under the provisions of the General Mining Law and Regulations. This alternative would require different

administrative procedures and is likely to be more complicated and costly than Alternative 3.

Alternative 2 - This alternative provides for authorization of mining under sale permit as in Alternative 3. The period of mining would be restricted to approximate nine months each year to provide non disturbance to wintering deer and elk populations. This would require a longer period of time to complete the removal of material, compared to Alternative 1, and thus delay reclamation of the site(s). It would also add an undue economic burden on the contractor by requiring all mining operations for the year to be confined to an eight month period.

CONSISTENCY FINDINGS

The EA evaluates the site specific effects associated with the proposed action. This action is consistent with the standards and guidelines, management area prescriptions, and general management requirements contained in the Deschutes National Forest Land and Resource Management Plan (August 1990).

Vegetative removal is done exclusively for the multiple use goal of facilitating removal of mineral materials. All proposed vegetative removal would comply with the seven requirements of 36 CFR 219.27.

Damage and action thresholds for managing competing and unwanted vegetation have been identified in accordance with the Record of Decision for the FEIS for Managing Competing and Unwanted Vegetation. No competing or unwanted vegetation is expected to exist after reclamation is completed.

FINDING OF NO SIGNIFICANT IMPACT

I have determined through the environmental analysis that this is not a major Federal action considering the context, intensity, and duration of the projected effects, that would significantly affect the quality of the human environment, therefore, an Environmental Impact Statement will not be necessary.

This determination was made considering the following factors:

- 1) The effects of implementation of the proposed project is limited to an area not expected to exceed 20 acres in extent in the north one half of section 11, T.18S., R.11E., W.M. Adverse effects are both short term and long term. Short term effects are those associated with mining and reclamation, i.e., dust, noise and smoke. Some soil movement, mostly through wind erosion, will take place until vegetation is reestablished on bare soil areas. Some loss of vegetative production within the project area will occur until reclamation is completed. Long term effects are

limited to the depletion of the mineral resource removed during the project period. This is estimated not to exceed 500,000 cubic yards. No old

growth timber stands or yew stands are involved. Authorizing mining under sale contract is expected to result in lower Forest Service administrative costs versus mining authorized under the general mining laws.

Favorable effects result from making available to the market pumice and building stone for commercial use. This will aid the economy of the central Oregon area through continuation of jobs related to the mining, processing, and transportation of these mineral materials.

2) There is no known adverse effect on public health or safety which will persist after completion of the project. Limited safety hazard will occur intermittently during the progress of mining operations.

3) There will be no adverse effects to cultural resources, historic places, park lands, prime farmlands or rangelands, wetlands, wild and scenic rivers, or ecologically critical areas.

4) The effects on the quality of the human environment are well known and not likely to be highly controversial. There is no evidence that a dispute as to the size, nature, or effect of the proposed action exists.

5) The degree of the possible effects on the human environment are not highly uncertain, nor are unique or unknown risks involved.

6) The project will not establish a precedent for future actions which may have significant effects, nor do they represent a decision in principle which may limit a future consideration. Other actions similar to the proposed action have already been undertaken and have not shown significant effects.

7) The action is not related to other actions which cumulatively would result in a significant impact.

8) No effect is anticipated on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places is expected. The compliance-level cultural resource inventory required under the National Historic Preservation Act and Executive Order 11593 was completed for this project during 1991. The inventory results have been reviewed by the Forest Archaeologist and the State Historic Preservation Office.

9) No activity will occur that adversely impacts threatened, endangered or sensitive species habitat that has been determined critical for the protection of these species. Biological evaluations of effects on threatened, endangered, and sensitive plant and animal species were completed in 1991, and no species were found to be affected by this action.

10) The proposed action does not violate a Federal, State, or local law or requirements imposed for the protection of the environment.

Project implementation will not begin for 7 days after the date of publication of this decision in The Bulletin.

This decision may be appealed in accordance with the provisions of 36 CFR 217 by filing a written notice of appeal within 45 days of the date of publication of the legal notice in The Bulletin, Bend, Oregon. Two copies of the appeal must be filed with the Forest Supervisor, Deschutes National Forest, 1645 Highway 20 East, Bend, OR 97701. The notice of appeal must include sufficient narrative evidence and argument to show why this decision should be changed or reversed (36 CFR 217.9).

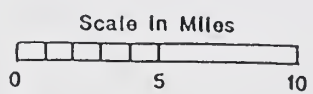
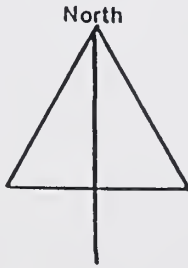
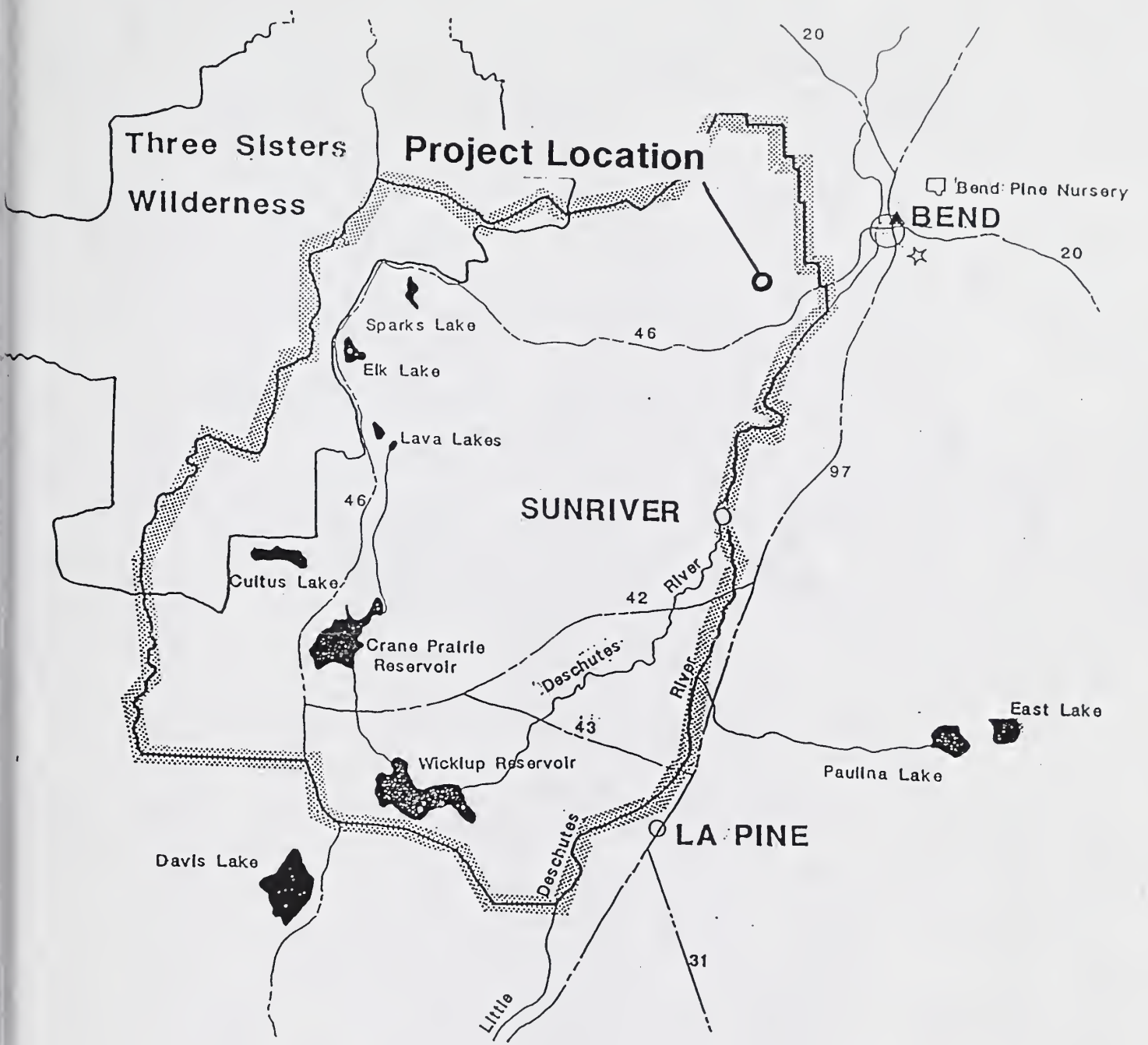
Dated this 15 day of April, 1993.



WALTER C. SCHLOER, JR.
District Ranger
Bend Ranger District
Deschutes National Forest

Published one time only in the Bulletin on April, 21, 1993.

BEND RANGER DISTRICT



- ▲ District Office
- ▬ Forest Boundary
- ☆ Forest Supervisor Office
- Highways & Major Roads

ALL ALTERNATIVES OCCUPY THE SAME AREA



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